seizures in the specification at page 3, lines 15-20 and page 4, lines 5-14. Evidence of preventing seizures is presented on page 15, line 3 to page 16, line 2 of the specification which describes the MES test. Rats were given a dosage of agmatine and then subject to electrical shock. The results are set forth in Fig. 1 and show that preadminstration of agmatine prevented seizures. Accordingly, the specification is enabled for using agmatine to prevent seizures.

Since the specification is enabled for using agmatine to "prevent" seizures, it is respectfully requested that the rejection of claims 5, 7, 9, 11 and 13-20 stand rejected under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Rejection Under 35 U.S.C. 103

Claims 5, 7, 9, 11 and 13-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rajasekaran. According to the Examiner, the reasons for the rejection are set forth on pages 2 and 3 of the last Office Action. However, the claims have never been rejected over Rajasekaran alone. So, for this reason, the basis for the rejection is unclear. In the last Office Action, the Examiner stated that "Rajasekaran teaches the anticonvulsant activity of agmatine used in the treatment of seizure due to epilepsy." Applicant traverses this finding.

While the Examiner did not point out where Rajasekaran makes reference to this teaching, the under the "Discussion" portion on the 3rd page of the reference, the reference states: "The anticonvulsant activity of [L-arginine] may be the direct ..., or a product of its metabolism such as agmatine (Li et al., 1995) or to the possible accumulation of L-arg per se ...." In referring to agmatine, Rajasekaran teaches that the anticonvulsant activity is a "product of its metabolism." Applicant understands this to mean that the metabolism mechanism of L-arginine, and not agmatine itself causes anticonvulsant activity. The Li et al. article referenced

in the Rajasekaran disclosure is directed to the metabolism of arginine to form agmatine. There is no disclosure in Li et al. that agmatine alone exhibits anticonvulsant activity. A copy of the Li et al. article is attached.

Moreover, Rajasekaran does not teach or suggest a method of treating, ameliorating or preventing seizures associated with epilepsy using agmatine or an agmatine analog as claimed. Also, the reference does not teach or suggest the dosage level as claimed.

For reasons given above, Rajasekaran does not disclose or even suggest that agmatine has anticonvulsant activity. Accordingly, it is respectfully requested that the rejection of claims 5, 7, 9, 11 and 13-20 under 35 U.S.C. § 103(a) over Rajasekaran be reconsidered and withdrawn.

Conclusion

For the foregoing reasons, it is submitted that the claims 5, 7, 9, 11 and 13-20 satisfy the enablement requirement of 35 U.S.C. 112, first paragraph, and are patentable over the teachings of Rajasekaran relied upon by the Examiner. Accordingly, favorable reconsideration of the claims is requested in light of the preceding amendments and remarks. Allowance of the claims is courteously solicited.

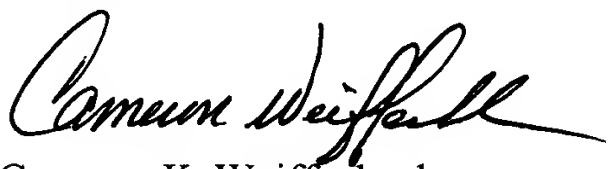
If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due under 37 C.F.R. § 1.17 and due in

connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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